

**STATE OF LOUISIANA  
DEPARTMENT OF CIVIL SERVICE  
BATON ROUGE, LA.**

March 6, 2007

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**STATE PERSONNEL MANUAL  
TRANSMITTAL SHEET  
NO. 432**

**To: HEADS OF STATE AGENCIES AND PERSONNEL OFFICERS**

**Subject: Reference Number Corrections Only (No Rule Change on this Transmittal)**

**Issue Date: March 6, 2007**

On February 22, 2007 and February 26, 2007, transmittals were issued for changes to Civil Service Rules 1.33, 8.16(a), and 8.18. The transmittals issued for these changes are correct in text, but the reference numbers on the bottoms of the pages were incorrect.

Please make the following changes in your Civil Service Rules:

<u>REMOVE</u>		<u>INSERT</u>	
<u>Page</u>	<u>T/S</u>	<u>Page</u>	<u>T/S</u>
20.6.1	430	20.6.1	370
20.6.2	430	20.6.2	428
20.47	431	20.47	363
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20.48.1	431	20.48.1	429
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If you have any questions regarding the information in this transmittal, please contact Misty Crehan at (225) 342-8272.

Sincerely,

s/Anne S. Soileau  
Director

- (c) An institution with an appointing authority and supporting services such as a hospital or school.
- (d) A separate state agency or one that is housed in a department but has a separate appointing authority, separate identity, a distinct mission and powers granted by statute. Such agencies include those transferred under statute, each of which continues to exercise all of the powers, duties, functions and responsibilities authorized by the Constitution or laws. The functions of such agencies are exercised independently of the secretary and any assistant secretary.

- 1.22 'Original Appointment' means initial appointment of a person to a classified position by provisional, probationary or job appointment.
- 1.23 Repealed, effective June 29, 1987.
- 1.24 'Pay Plan' means a schedule of pay rates or ranges and a list showing the assignment of each job in the job evaluation plan to one of the rates or ranges and includes rules of administration.
- 1.24.001 'Pay Range' means the range of pay rates from minimum to maximum set for a pay grade.
- 1.24.002 'Pay Structure' means the organization of pay grades and ranges established for jobs within the classified service.
- 1.24.003 'Pay Structure Adjustment' means a change in the range minimums and maximums for all grades. The purpose is to maintain a general competitive level with the market for recruitment purposes and is generally accomplished without increases to individual pay rates.
- 1.24.01 'Performance Appraisal Rating' means the overall rating of an employee, made in accordance with the performance appraisal system established by these Rules.
- 1.24.02 'Performance Standard' means a statement or description of observable conditions that define the levels of performance for each major task or duty area.
- 1.24.03 'Personnel Action' means a personnel transaction effecting a change to a person's employment or to a position.
- 1.24.1 'Political Activity' means an effort to support or oppose the election of a candidate for political office or to support or oppose a particular party in an election.
- 1.25 'Position' means any office and any employment in the Classified Service. 'Position' for job evaluation and pay purposes means a collection of duties and responsibilities assigned to an individual employee. Multiple positions may constitute a job.

20.6.2

- 1.25.1 'Preference Employee' means an employee who is an ex- member of the armed forces and his or her dependents as defined in Rule 7.11.
- 1.25.2 Repealed, effective July 2, 1986.
- 1.26 'Probationary Appointment' means appointment of a person to serve a working test period in a position.
- 1.26.1 'Progress Review' means a scheduled meeting between an employee and his supervisor in which they discuss the employee's accomplishments and possible problems in the area of performance (e.g., performance standards), and in which performance criteria is reviewed and revised if necessary.
- 1.27 'Promotion' means a change of a permanent employee from a position in one job to a position in another job which is assigned to a pay grade with a higher maximum.
- 1.28 'Promotional List' means a list, established in conformity with these Rules, of permanent employees who have demonstrated their fitness for a position of a higher grade by successfully passing an examination for such higher job position and are eligible for promotion within the same department or transfer and promotion from another department.
- 1.29 'Provisional Appointment' means a temporary appointment of a person to a position in the absence of an adequate eligible list, until such time as the appointed employee demonstrates the required skill level to qualify for the job.
- 1.30 'Public Hearing' means a hearing held after public notice of at least 24 hours, at which any person may have a reasonable opportunity to be heard, in accordance with such rules and regulations as may be adopted by the Commission.
- 1.31 Repealed, effective March 15, 1966.
- 1.32 'Reallocation' means a change in the allocation of a position from one job to another wherein the duties of the position have undergone a change.
- 1.33 'Reassignment' means the change within the same department of a probationary or permanent employee from a position in one job to another position in a different job, both jobs of which have the same maximum rate of pay. \*\*\*
- 1.33.01 'Red Circle Rate' means an individual pay rate, excluding those that fall within the base supplement authorized for a position, that is above the maximum of a pay range for a grade; or, only under conditions as specified in Rule 6.15(d), an individual pay rate that is above the base supplement authorized for a position.
- 1.33.02 'Reduction in Pay' means an action taken for disciplinary reasons whereby an employee's individual pay rate is reduced but the employee remains in the same job.

- (b) When any function of a State agency is transferred to, or when a State agency is replaced by, one or more other State agencies, every preference employee in classifications and performing functions transferred, or working in the State agency replaced, shall be transferred to the replacing State agency or agencies for employment in a position for which he is qualified before that State agency or agencies appoint additional employees for such positions from eligible lists.
- (c) Subject to the priority accorded preference employees under subsection (b) hereof, when any or all of the functions of any department are transferred to or when any department is replaced by any other department or departments, all nonpreference employees in the classifications and performing the function or functions transferred or in the department which is replaced by such other department shall first be transferred to the replacing department or departments for employment in positions for which they are qualified, before such department or departments shall appoint additional employees from eligible lists for such positions.
- (d) The Director may declare specific classes of positions exempt from the provisions of subsection (a) of this Rule, and transfers shall not be made to such exempted classes of positions, unless the employee previously served with permanent status in the class of position to which his transfer is proposed and was not separated therefrom by dismissal or resignation to avoid dismissal.

#### 8.15.1 Temporary Inter-Departmental Assignment.

- (a) Upon agreement between departments, a permanent employee may be assigned to a classified position in another department for a period not to exceed one year, provided the employee meets the qualification requirements of the job to which he is being assigned and has met Civil Service requirements for testing and competition.
- (b) The salary of an employee so assigned shall be fixed and paid for the period of such assignment in accordance with the provisions of Chapter 6 of these Rules.
- (c) An employee so assigned shall continue to be an employee of the department from which he was assigned and, subject to the provisions of Chapter 12 of these Rules, shall have a right to return to his position at the conclusion of the assignment.

20.48 (Rule 8.15.1 Temporary Inter-Departmental Assignment - continued)

- (d) Either participating department may terminate the inter-departmental assignment of an employee at any time, with proper notification to the Director. The Director may terminate such assignment if he determines that it violates the provisions of Article X, the Civil Service Rules, the Uniform Classification and Pay Plans, or the policies and procedures issued by the Director.
- (e) Notwithstanding any other provision of these Rules, a temporary inter-departmental assignment may not be continued beyond one year without the Director's approval.

8.16 (a) Reassignment.

An appointing authority may reassign any probationary or permanent employee to a position with a different job title that has the same maximum rate of pay, provided the employee meets the qualification requirements of the job to which he is being assigned and has met Civil Service requirements for testing and competition. \*\*\*

(b) Change in Hours of Work.

An appointing authority may at his discretion and in the best interest of his department's program change the hours of work of any employee if no change in his class of position is affected.

(c) Change in Duty Station.

An appointing authority may change the duty station of a permanent employee from one geographical area to another. An appointing authority may change the duty station of a provisional or probationary employee from one geographical area to another in accordance with guidelines specified by the Director to ensure observance of appropriate competition requirements.

(d) Detail to Special Duty.

1. When, in the discretion of the appointing authority, the services of an employee are temporarily needed in a position within the department other than the position to which he is regularly assigned, he may be detailed to perform the duties of such position for a period not to exceed one month without change in title, status or pay.
2. An appointing authority may detail an employee for a period not to exceed one year. With the Director's prior approval, an appointing authority may detail an employee for a period(s) that exceeds one year. Written justification for all details except those referenced in subsection (d)1 of this rule shall be kept by the agency. Justification shall be submitted with all details requiring the Director's approval. This rule is subject to Rules 17.16(b)4 and 17.26 concerning layoff-related details.

3. The Director may issue policy standards for use of details to special duty.
4. An appointing authority may terminate a detail at any time.
5. The Director may, at any time, cancel a detail to special duty and/or withdraw an agency's authority to make details to special duty other than those stated in subsection (d)1 of this rule.

8.17 Amended and re-enacted effective April 1, 1954 as parts of Rules 6.22 and 8.16.

8.18 Noncompetitive Reemployment Based on Prior State Service.

- (a) Subject to the provisions of Subsections (d), (e) and (f) hereof and with the approval of the Director, a former permanent employee who has been separated from the classified service may, within ten years from separation, be noncompetitively reemployed in any job for which he is qualified and which has the same or lower maximum salary as the current maximum for the job in which he had permanent status. Further, if the job in which an employee or former employee held permanent status undergoes a change in title, other than an upward reallocation of the position after the employee separated from it, or undergoes a change in minimum qualification requirements, he shall not lose his reemployment eligibility for such position or lower position in the same job series, if such exists, except where the qualification lacking is one required by law or under a recognized accreditation program. In this case eligibility remains, even if the maximum pay has moved upward. Further, he shall be eligible to be reemployed in any other job at the same or lower current maximum pay as the job to which his position changed in title, provided he meets the minimum qualification requirements. \*\*\*
- (b) Repealed, effective March 15, 1966.
- (c) Repealed, effective February 10, 1976.
- (d) No former employee whose last separation from the classified service was by dismissal or by resignation to avoid dismissal shall be eligible for noncompetitive reemployment under the provisions of this Rule; nor shall any person acquire eligibility for noncompetitive reemployment through service in a position from which he was dismissed or resigned to avoid dismissal or demoted for delinquency, misconduct or unsatisfactory performance. When a former employee is hired from an open preferred reemployment list and is separated due to unsatisfactory work performance during the applicable probationary period, he shall retain his noncompetitive reemployment eligibility based on any position(s) he held with permanent status in accordance with the provisions of this Rule.

20.48.2 (Rule 8.18 Noncompetitive Reemployment Based on Prior State Service - continued)

- (e) The Director may declare specific classes of positions exempt from the provisions of subsection (a) of this Rule, and noncompetitive reemployments shall not be made under this Rule to such exempt classes of positions, unless the employee previously served with permanent status in the class of position to which his noncompetitive reemployment is proposed and was not separated therefrom by dismissal or resignation to avoid dismissal.
- (f) No former employee shall possess an eligibility for noncompetitive reemployment in the position of Director of the State Department of Civil Service.
- (g) The former employee may be required to provide proof or evidence of his prior employment before being eligible for reemployment under this rule.

8.19 Restoration of Duty Upon Return from Military Service.

Any employee, who subsequent to June 24, 1948 has left or leaves a classified position in which he was or is serving with provisional, probationary or permanent status, for active duty in the armed forces of the United States for not more than six years of voluntary service or an indefinite period of involuntary service and who upon separation from the armed forces of the United States by honorable discharge or under honorable conditions makes application for reemployment within ninety days thereof or within ninety days after he is released from hospitalization continuing after discharge for a period of not more than one year shall

- (a) If still qualified to perform the duties of such position, be restored by his department to such position or to a position of like seniority, status and pay; or
- (b) If not qualified to perform the duties of such position by reason of disability sustained during such service but qualified to perform duties of any other position in the department where he formerly worked be restored to such other position the duties of which he is qualified to perform as will provide him like seniority, status and pay or the nearest approximation thereof consistent with the circumstances in his case.

8.20 Promotion.

- (a) Except as provided in paragraph (g) below, and subject to the provisions of Rules 8.9(a) and 8.9(c), each promotion shall be made by appointing one of the eligibles within the five highest final grade groups on a promotional certificate issued by the Director or by an agency as authorized under Rule 7.17(c) following competitive examination; or by the designation of a permanent employee for noncompetitive promotion and authorization thereof by the Director.
- (b) In preparing a promotional certification from a register of eligibles established following a competitive promotional examination, the Director or an agency as authorized under Rule 7.17(c) shall certify the names of the highest ranking eligibles in the relative order of their standing on the register.